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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,649	07/16/2003	Jean-Patrick Azpitarte	CAB014-01	1481
26221	7590	12/08/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			SALATA, ANTHONY J	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/620,649	Applicant(s) AZPITARTE, JEAN-PATRICK	
	Examiner Jonathan Salata	Art Unit 2837	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2837



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

Paper No: 12062005
Application No: 10/620649
Filing Date: July 16, 2003

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,2,3,5,6,7,8,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen (3461422) and Sirigu et al (6193019).

Hansen teaches in figures 1-4, an elevator safety chain system.

Elevator cab 10 in a hoistway (figure 1) contains switches 28,34,36 which determine if the cab is at a floor 32 and if the appropriate door for the floor is open or closed as well as if an inappropriate door is open or closed. Based on the safety chain, the control panel 42 determines if an alarm 44,46 needs to be actuated. As illustrated in figure 1, the alarm 46 is in the shaft.

Hansen does not state lock monitoring specifically.

Art Unit: 2837

Sirigu et al teaches in figures 1-2, an elevator door monitor system.

Sirigu et al states that an elevator safety chain is known within the art and comprises both door close contacts as well as lock contacts such that faults are detected.

Sirigu et al further allows the location of the fault to be determined (only shown with respect to the lock detection).

Thus, to use the system of Hansen with respect to an elevator safety chain which is known within the art to comprise both door closurer and lock contacts, would have been an obvious engineering design choice to one of ordinary skill in the art to improve safety.

The fault display can be placed in a remote panel, col. 4.

3. Claims 10,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen and Sirigu et al as applied to claims 1,2,3,5,6,7 above and further in view of Coste et al (4750591).

Hansen or Sirigu do not illustrate the alarm or remote monitoring is over telephone lines but state that a remote panel or system may be utilized.

Coste et al teaches that for improved monitoring and maintenance of an elevator system, it is advantageous to provide a remote monitoring system using signals within the elevator controller itself. The system monitors the states of the cars and doors of the elevator system to determine and log errors for maintenance personnel.

The monitoring facility is placed remote over data communications 36,38 which is a telephone line.

Thus, to utilize a remote monitoring system to improve maintenance of an elevator system, would have been an obvious engineering design choice to one of ordinary skill in the art.

4. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The use of a GPS system to determine elevator position by measuring the distance between a fixed point and the car, is not taught or reasonable suggested by the cited art of record.

Art Unit: 2837

5. Applicant's arguments with respect to claims 1-11 are have been considered but are moot in view of the new ground(s) of rejection.

Applicant is correct in that Hansen does not specifically state the door lock contacts. Sirgu et al has been applied to state that known terminology of a safety chain.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Glaser and Lence Barreiro are cited to illustrate similar elevator safety chains.

A shortened statutory period for response to this action is set to expire 3 months from the date of this letter.

Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Any inquiry of a **general nature** should be directed to the **Group receptionist whose telephone number is (571) 272-2800**.

Information regarding the STATUS of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PARI. Status information for unpublished applications is available through Private PAIR ONLY. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Papers related to this application may be submitted by facsimile transmission. Papers should be faxed to Group 2800 via the PTO Fax Center . The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Inventors Assistance Center (IAC) whose telephone number is 800-PTO-9199 or 800-786-9199**. Assistance is also available on the Internet at www.uspto.gov.

For requesting copies of Cited Art, Office Actions or the like, or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 571-272-2800 or by fax at 571-273-8300.

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Jonathan Salata whose telephone number is (571) 272-2073**. The examiner does not have as detailed access as the previously listed numbers with regard to status or general problem solving. The examiner can normally be reached on Monday through Thursday from 7:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin, can be reached on (571) 272-2107.

Application/Control Number: 10/620,649

Page 5

Art Unit: 2837

ajs
December 6, 2005



**JONATHAN SALATA
PRIMARY EXAMINER
ART UNIT 2837**